



24 OCT 2006

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In re Application of	:	
SCHELLER, et al.	:	
U.S. Application No.: 10/587,637	:	DECISION ON PETITION
PCT No.: PCT/EP04/14143	:	
Int. Filing Date: 13 December 2004	:	UNDER 37 CFR 1.137(b)
Priority Date: 18 December 2003	:	
Attorney Docket No.: 6102-000034/US/NP	:	
For: (S)-2-N-PROPYLAMINO-5-HYDROXYTETRALIN	:	
AS A D3-AGONIST	:	

The petition to revive under 37 CFR 1.137(b) filed 28 July 2006 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

It is noted that the first page of applicant's petition, although stating that the patent designating the U.S. was abandoned unintentionally, references 37 CFR 1.137(a), the citation for an application abandoned unavoidably. In addition, page two of the petition is entitled "Petition For Revival of an International Application For Patent Designating The U.S. Abandoned **Unavoidably Under 37 CFR 1.137(a)**" (boldness added). However, since applicant has provided a statement under 37 CFR 1.137(b), identified and provided payment of the 37 CFR 1.137(b) large entity petition fee of \$1500.00 and identified the petition in the transmittal letter as a petition under 37 CFR 1.137(b), the petition has been so treated. As detailed above, applicant has satisfied all the requirements for the granting of a 37 CFR 1.137(b) petition to revive.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that a compliant, executed oath or declaration of the inventors is required.



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